WA 110/2007
BEFORE
THE HON'BLE JUSTICE D. BISWAS
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE B.P.KATAKEY
B.P. Katakey, J.

Mr. A. Dasgupta, the learned counsel for the appellant prays for allowing the appellant to withdraw the writ appeal with a liberty to participate in the fresh tender process initiated by the Railway Authority and also with a liberty to approach the Railway Authority for refund of a sum of Rs.3,40,000/-, which according to the appellant has been deposited before the Railway Authority for extension of the 3rd year of lease, i.e. from September 2005 to August 2006.

Prayer is allowed. The writ appeal is dismissed on withdrawal with liberty as prayed for. It is open to the appellant to participate in the fresh tender process and to approach the Railway Authority for refund of the aforesaid amount, stated to be paid for the aforesaid purpose and, in case of filing such application, the Railway Authority shall decide the same in accordance with law.